REMARKS

This paper cancels Claims 15-21 and 23-35, and adds new Claims 36-58. Claims 1-14 and 22 were previously canceled, where Claim 1-14 were canceled in response to a restriction requirement. Applicant reserves the right to refile the canceled claims in a continuing application at a later date. Claims 36-58 are pending. Reconsideration and allowance of the claims in light of the present remarks is respectfully requested.

Claims 26, 27 and 29 were rejected under 35 U.S.C. § 103(a) as being obvious over Bolle et al. (U.S. Patent No. 6,675,174).

New independent Claim 37 is based on canceled Claim 26. Regarding the element:

generating a time-based index of the video, wherein the time-based index is generated by determining an absolute time from the beginning of the video, comprising adding a delta time, the delta time representing the time from the beginning of the video to the time when metadata capture begins, to a timecode of the metadata;

the Examiner cited column 9, lines 34-67 to column 10, lines 1-24 of Bolle. Applicant respectfully submits that any reference to "time" in the cited portion of Bolle is in the description of the recognition phase (see column 9, line 60 to column 10, line 24) and not in the description of the index generation phase. Applicant's recited element relates to generating a time-based index and not to a recognition phase which is performed after an index is generated. Therefore, the cited portion of the Bolle reference does not disclose the recited element of new Claim 37.

The Examiner admits in the Office Action that "Bolle does not explicitly teach storing the time-based index in a repository along with a hyperlinked location identifier associated with the video being index (sic)." The cited portion of the Bolle patent at column 27, lines 35-54 describes a method of detecting illegal copies of certain reference music (MP3) or video (MPEG) on the Internet. The Bolle patent generates the segment index table corresponding to the reference music or video and then deploys a search engine with the segment index table. Then, "target media files are transferred from web sites at the Internet to the computing system that houses the search engine described in this invention", which may be files having illegal copies of the reference material. This is explained by the cited text further describing that the target media files are downloaded based on two ways: an operator could feed URLs to down loader software or a web robot could be designed to locate URLs for MP3 or MPEG files. The Office Action then states that "This suggests that the segment index table [of Bolle] is the location identifier [of Applicant's invention]..."

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Applicant respectfully submits that the segment index table of Bolle stores index data, and not the hyperlinked location identifier and the time-based index as claimed. The cited portion of Bolle does not describe that hyperlinked location identifiers are stored in the segment index table of Bolle.

Regarding Claim 27, the OA states that "Bolle teaches identifying multiple versions of a video so that it only indexes one time (col. 29, line 15-20)." Applicant respectfully submits that the feature of "identifying multiple versions of a video prior to indexing" in new Claim 37 distinguishes over Bolle.

Regarding Claim 29, the OA states that "Bolle teaches grouping different code versions of the video together (col. 15, lines 45-60)." Applicant respectfully submits that the coding described in Bolle refers to the extracting of features during generation of the index. This is far different than the encoding in Applicant's new Claims 38 and 40 which refers to the encoding of the video content, such as bit-rate (page 26 of the specification) or video player format (page 23).

Therefore, Applicant respectfully requests the withdrawal of all claim rejections and prompt allowance of the claims.

Conclusion

In light of the above, reconsideration and withdrawal of the outstanding rejections are specifically requested. In view of the foregoing remarks, Applicant respectfully submits that the claims of the above-identified application are in condition for allowance. However, if the Examiner finds any impediment to allowing all claims that can be resolved by telephone, the Examiner is respectfully requested to call the undersigned.

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Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

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Raimond J. Salenieks
Registration No. 37,924
Agent of Record
Customer No. 20,995
(619) 235-8550

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